

REMARKS

This reply is in response to the Final Office Action mailed on September 13, 2005 in which Claims 1-14 and 19 were objected to. Applicants respectfully traverse the finality of the Office and request that the finality of the Office Action be withdrawn. Applicants further request entry of the Amendments to Claims 7 and 14 and the addition of Claims 20-24. Claims 1-14 and 19-24 are reconsideration allowance of Claims 1-14 and 19-24 are requested.

I. Examiner Interviews Summary.

On November 14, 2005, a telephonic interview was held between Examiner Ridley and Applicants' attorney, Todd A. Rathe. The finality of the present Office Action was discussed. It was agreed upon that the finality of the Office Action should be withdrawn since Claim 19, constituting previously objected to Claim 10, was rejected for the first time based upon new art. Examiner Ridley further indicated that the present case had been newly assigned to Examiner Greg Adams and that a follow-up phone call to Examiner Adams should be made.

On December 12, 2005, a telephonic interview was held between Examiner Adams and Applicants' attorney, Todd A. Rathe. The finality of the present Office Action was discussed. Examiner Adams indicated that if the finality of the present Office Action were withdrawn, the next subsequent Office Action would not be made final.

Applicants wish to thank Examiner Ridley and Adams for the opportunity to discuss the rejections.

II. Traversal of Finality of Office Action.

Applicants respectfully traverse the finality of the Office Action and request that the finality of the Office Action be withdrawn. As noted above, during the Examiner interview held on November 14, 2005, it was agreed upon that the finality of the present Office Action should be withdrawn. In particular, Claim 19 constitutes previously objected-to Claim 10 rewritten in independent form. Applicant has not been provided a full and fair hearing with

regard the previously indicated allowable subject matter of Claim 19 which is now being rejected for the first time. Accordingly, Applicants respectfully request the finality of the Office Action mailed on September 13, 2005, be withdrawn. Applicant further respectfully requests that the amendments to the Claims set forth in this Response be entered and considered.

III. Rejection of Claims 1, 4-6, 8-13 and 19 under 35 USC § 102(b).

Under 35 USC § 102(b) as being anticipated by Okuzawa (U.S. Patent No. 4,888,617). Applicants respectfully request that this rejection be withdrawn.

Independent Claims 1, 8 and 19 each recite an object catch bin. Independent Claims 1 and 8 each recite a tray configured to pivot and bias means for yielding to weight of objects caught by the tray.

Okuzawa fails to disclose a tray that catches objects. Okuzawa fails to disclosing biasing means that yields to weight of objects caught by the tray. In contrast, Okuzawa merely discloses a plate 62 which is urged against corner teeth 72a(b) by coil springs 66a, 66b. Nowhere does Okuzawa disclose or even suggest that plate 62 catches objects. Nowhere does Okuzawa disclose or suggest that coil spring 66a(b) yield to weight of objects caught by plate 62. In fact, plate 62 would appear not capable of catching objects since Okuzawa requires feed roller 98 and arm 78 to extend above plate 62.

Moreover, configuring coil spring 66a of Okuzawa to yield to the weight of objects would seemingly destroy the intended operation of Okuzawa. In particular, coil spring 66a are required to urge plate 62 up against corner teeth 72a(b) regardless of the number of sheets upon plate 72. One of the main purposes of coil spring 66a(b) is to ensure that the top most sheet of a stack of sheets is consistently positioned against feed roller 98. However, if spring 66a(b) were alternatively configured to yield to the weight of sheets upon plate 62 could not abut corner edges 72, potentially resulting in the top-most sheet not being lifted into contact with feed roller 98. Thus, because Okuzawa fails to disclose or even suggest a plate configured to catch objects or bias means configured to yield to weight of objects caught by the tray and further because any such modification to plate 62 or springs 66 of Okuzawa

would seemingly destroy the intended functioning of Okuzawa, the rejection of Claims 1, 8 and 19 based upon Okuzawa is improper and should be withdrawn. Claims 4-6 and 9-13 depend from Claims 1 and 8, respectfully, and overcome the rejection for the same reasons.

IV. Rejection of Claims 1, 4-6, 8-13 and 19 under 35 USC 102(b) Based Upon Komori.

Paragraph 3 of the Office Action rejected Claims 1, 4-6, 8-13 and 19 under 35 USC 102(b) as being anticipated by Komori (U.S. Patent No. 3,919,972). Applicants respectfully request that the rejection of such claims based upon Komori be withdrawn since Komori fails to disclose a tray that catches objects. Komori fails to disclose biasing means that yields to weight of objects caught by the tray. In contrast, Komori merely discloses a plate 5 which is urged against separation pawl 7 by springs 66. Nowhere does Komori disclose or even suggest that plate 5 catches objects. Nowhere does Komori disclose or suggest that springs 66 yield to weight of objects caught by plate 5. In fact, plate 5 would appear not capable of catching objects since Komori requires feed roller 98 and arm 78 to extend above plate 5.

V. Rejection of Claims 1, 2-6, 8-13 and 19 under 35 USC § 102(b) Based upon Okada.

Paragraph 4 of the Office Action rejected Claims 1, 2-6, 8-13 and 19 under 35 USC § 102(b) as being anticipated by Okada, U.S. Patent No. 5,183,248. Applicants respectfully request that the rejection of Claims 1, 2-6, 8-13 and 19 based upon Okada be withdrawn.

Okada fails to disclose a tray that catches objects. Okada fails to disclosing biasing means that yields to weight of objects caught by the tray. In contrast, Okada merely discloses a plate 13 which is urged against the overhang (unnumbered) above urging means U by urging means U. Nowhere does Okada disclose or even suggest that plate 13 catches objects. Nowhere does Okada disclose or suggest that urging means U yield to weight of objects caught by plate 13. In fact, plate 13 would appear not capable of catching objects since Okada requires feed roller 98 and arm 78 to extend above plate 13.

Moreover, to alternatively configure urging means U to yield to the weight of objects would seemingly destroy the intended operation of Okada. In particular, urging means U are required to urge plate 13 up against overhang above urging means U regardless of the number of sheets upon plate 13. One of the main purposes of urging means U is to ensure that the top most sheet of a stack of sheets is consistently positioned against feed roller 98. However, if urging means U were alternatively configured to yield to the weight of sheets upon plate 13, such sheets could not abut the overhang above urging means U, potentially resulting in the top-most sheet not being lifted into contact with feed roller 98. Thus, because Okuzawa fails to disclose or even suggest a plate configured to catch objects or bias means configured to yield to weight of objects caught by the tray and further because any such modification to plate 13 or urging means U of Okada would seemingly destroy the intended functioning of Okada, the rejection of Claims 1, 8 and 19 based upon Okada is improper and should be withdrawn. Claims 4-6 and 9-13 depend from Claims 1 and 8, respectfully, and overcome their rejection for the same reasons.

VI. Rejection of Claim 3 under 35 USC § 103(a) Based upon Okuzawa, Komori or Okada in Combination with Kim.

Paragraph 6 of the Office Action rejected Claim 3 under 35 USC § 103(a) as being unpatentable over either one of Okuzawa, Komori or Okada, in view of Kim (U.S. Patent Publication No. 2002/0084576). Claim 3 depends from Claim 1. Because Kim fails to satisfy the deficiencies of Okuzawa, Komori and Okada with respect to Claim 1, Claim 3 overcomes the rejection based upon Okuzawa, Komori or Okada in view of Kim for the same reasons discussed above with respect Claim 1.

VII. Rejection of Claim 7 and 14 under 35 USC § 103(a) Based upon Okuzawa, Komori or Okada in Combination with Sellers.

Paragraph 7 of the Office Action rejected Claims 7 and 14 under 35 USC § 103(a) as being unpatentable over either one of Okuzawa, Komori or Okada, in view of Sellers (U.S. Patent No. 5,085,421). Claims 7 and 14 each recite conveyor means for projecting an object into the tray.

Neither Okuzawa, Komori, Okada or Sellers, alone or in combination, disclose or suggest a tray, bias means for resisting pivoting of the tray and yielding to weight of objects caught by the tray and a conveyor means for projecting an object into the tray. The Office Action acknowledges that neither Okuzawa, Komori or Okada disclose conveyor means for projecting an object into the tray. As a result, the Office Action attempts to additionally rely upon Sellers. However, Sellers does not disclose a conveyor means for projecting an object into the tray. The Office Action refers to FIGURES 2, 3A and 3B of Sellers for disclosing such conveyor means. However, belt 110 and pusher plate 120 are not configured to project and drop an object into tray structure 42. In contrast, belt 110 and pusher plate 120 merely push objects along tray structure 42. Accordingly, Claims 7 and 14, as amended, overcome the rejection based upon Okuzawa, Komori or Okada in view of Sellers.

VIII. Added Claims.

With this Response, Claims 20-24 are added. Consideration and allowance of Claims 20-24 are respectfully requested.

A. Claims 20 and 21.

Claims 20 and 21 depend from independent Claims 1 and 8, respectively. Claims 20 and 21 further recite that the bias means is below the tray and that the tray is configured to catch objects falling as a result of gravity and configured to catch such objects impinging tray over and above the bias means.

The prior art of record fails to disclose or suggest a tray configured to catch falling objects that impinge the tray over and above the bias means. For example, each of Okuzawa, Komori and Okada disclose a roller or an arm extending above their springs. Such rollers or arms prevent an object from falling onto the plate or tray over and above the bias means such as the springs. Accordingly, added Claims 20 and 21 are believed to be patently distinct over the prior art of record.

B. Claims 22-24.

Added Claim 22 recites an apparatus which includes a tray pivotable between a raised position and a lowered position and a bias resiliently biasing the tray towards the raised position and configured to yield to the weight of objects caught by the tray. Claim 23 depends from Claim 22 and further recites a conveyor above the tray configured to drop objects onto the tray. Claim 24 further recites that the conveyor is configured to drop objects onto the tray over and above the bias. The prior art of record fails to disclose or suggest the apparatus of either of Claims 22, 23 or 24. Accordingly, consideration of allowance of Claims 22-24 are respectfully requested.

IX. Conclusion.

After amending the claims as set forth above, Claims 1-14 and 19-24 are now pending in this application.

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 08-2025. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 08-2025. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 08-2025.

Respectfully submitted,

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